THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10538 of 2007

Dated:06.07.2007

Between:

Margina Surya Rao.

…PETITIONER

and

The State of Andhra Pradesh, rep.by the Principal Secretary, Revenue Department, Hyderabad, and others.

…RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.10538 of 2007

ORDER:

This writ petition is filed challenging the notice in Form II issued under Rule 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007 (2007 Rules, for brevity) calling upon the petitioner to show-cause as to why he should not be dispossessed for contravention of Section 3(2) of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (the Act, for brevity). After receiving the notice, the petitioner submitted explanation and the enquiry is pending. However, alleging that on 13.05.2007 third respondent started taking measurements, the petitioner filed instant writ petition.

After getting instructions, the learned Assistant Government Pleader for Revenue submits that the enquiry is still pending before the Tahsildar. Therefore, this Court is not inclined to interfere with the matter. Be it noted that unless and until appropriate order is passed under Section 4 of the Act, if the petitioner is still in possession, he cannot be dispossessed.

The writ petition, with the above observations, is accordingly dismissed. No costs.

(V.V.S.RAO, J)

06th July, 2007

ghn